

REMARKS/ARGUMENTS

In an Examiner's Amendment sent with the Notice of Allowability dated 11/8/2004, the Examiner canceled Claims 11-15 and Claims 29-37. These claims were **canceled by the Examiner without authorization** from Applicants. In canceling these claims, the Examiner stated that the application was in condition for allowance, except for the presence of these claims.

Applicants hereby accept cancellation of claims 29-37 as being drawn to a non-elected invention. Applicants reserve the right to prosecute these claims in a divisional application in future.

However, Applicants respectfully traverse the Examiner's cancellation of Claims 11-15. Specifically, Applicants submit that these claims should have been examined for allowability (and allowed) because they **depend from Claim 1** (either directly or indirectly). Note that Claim 1 is allowed. As per MPEP 809.04:


"If a linking claim is allowed, the examiner must thereafter examine species if the linking claim is generic thereto, or he or she must examine the claims to the nonelected inventions that are linked to the elected invention by such allowed linking claim."

For the reasons noted above, Applicants respectfully request that Claims 11-15 as listed in the clean listing herein (with all remaining claims) be allowed to proceed to issuance.

This amendment is presented at this late stage because the claims were canceled by Examiner amendment. No new issues are believed to be raised by reinstating Claims 11-15. Should the Examiner have any questions concerning this amendment, the Examiner is invited to call the undersigned at (408) 982-8200, ext. 3.

Via Express Mail Label No. EV 448 866 841 US

Respectfully submitted,


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